

WHALEN AND UNTERMYER IN HOT ROW

CITY MARSHAL CONVICTED OF OPPRESSION

To-night's Weather—CLEARING, COOLER.

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To-morrow's Weather—FAIR.

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WILL NEW YORK BE SADDLED WITH SEVEN-CENT CARFARE BY "PHILADELPHIA TRICK?"

Evening World Writer Reveals
Startling Parallel in Traction
Conditions Here and There—
Will Street Car Bankers and
Politics in This City Unite to
Abolish 5-Cent Fare?

By Martin Green.

(Special Staff Correspondent of The Evening World.)

PHILADELPHIA, Nov. 23.—The successful pressure for a 7-cent street car fare in Philadelphia, exerted by E. T. Stollsbury and H. G. Lloyd of Drexel & Co.—the Philadelphia branch of the house of Morgan—served the double purpose of furnishing propaganda material for the forthcoming fight for increased fares in New York and additional protection to the exorbitant profits of the shareholders of the underlying companies of the Philadelphia Rapid Transit Company. It was a demand by T. E. Mitten, President of the Philadelphia Rapid Transit Company, that these shareholders chip in to aid the finances of the operating corporation that precipitated the 7-cent fare campaign.

The Philadelphia Traction Company was in need of \$6,000,000 last spring to take care of improvements and extensions called for by growth of traffic. It had to go into the market for money and the Philadelphia money market is controlled by Drexel & Co. Finally the management of the P. R. T. discovered that the only way it could get \$6,000,000 involved plunging practically the entire Philadelphia Rapid Traction Company with its \$30,000,000 of capital stock and \$15,777,000 worth of bonds and car trust certificates, held by 11,884 investors, to the underlying Union Traction Company, which, by leases running 99 years, holds what amounts to a monopoly of transportation rights on Philadelphia's streets.

PHILADELPHIA BANKERS AND POLITICS IN ALLIANCE.

The Union Traction Company and the street railway banking interests are allied. They were shocked when President Mitten suggested that inasmuch as the shareholders of the Union Traction Company are drawing \$1,800,000 a year from the Philadelphia Rapid Transit Company, they might in all fairness supply the needed money for three reasons.

First—They are paid on a contract basis of 6 per cent. on \$30,000,000, the authorized capital stock of the Union Traction Company.

Second—The paid in capital stock is only \$15,500,000 and the return to the Union Traction shareholders is actually 18 per cent.

Third—If the Union Traction Company had not been merged into the Philadelphia Rapid Transit Company

(Continued on Tenth Page.)

Model a Naiad After She Threw Eggs at Artist

Trilby Wanted Her Back Pay, but
All She Got Was a Pail
of Water.

Florence West, 29 years old, a beautiful blonde-haired artist's model of No. 22 Furley Street, Elmhurst, L. I., ran into Jefferson Market Court this morning, her artistic attire thoroughly drenched and not from the falling rain, either.

"How come?" asked Magistrate Joseph E. Schwab.

"A horrid Greenwich Village artist spilled a pail of water on me, Judge. What do you know about that?" piped the drenched beauty.

The Magistrate issued a summons post haste to bring the alleged water-spiller into court. Carl Gruppe, twenty-nine years old, who tries to make the world safe for art at No. 141 Sixth Avenue, responded.

Mr. Gruppe dreamily admitted dousing his model with water, but said he did it only after the young model sent him a barrage of a dozen eggs and a cabbage.

"Well, he owes me \$5 for back pay and won't pay," interposed the model.

The Magistrate held that the artist's alleged indebtedness didn't justify the model's attempts to make her employer look like a cubist picture. At the same time it wasn't right for the artist to spill water on his model and make her catch pneumonia, the Judge added. He told the model to go to the Civil Court if she wanted to fight for back pay, saying he would put both artist and model in jail if they threw any more eggs, cabbages or water.

Artist and model left the court room separately.

THANKSGIVING TO BE FAIR.

Each of Rainfall in Storm, Which
Is Considered Over.

More than an inch and a half of rain came down in the storm that ended early this morning, and the Weather Bureau figures that there is not much more in the sky at present. What there is will probably come down before night, and the prediction for tomorrow and Thanksgiving Day is bright, clear weather, somewhat cooler. There was a thunderstorm early this morning—usual at this season.

BOXING IS BARRED IN STATE ARMORIES BY GOV. SMITH

Decision Made After Conference
With Adj. Gen. Berry—Repeal
of Law Unwise.

(Special to The Evening World.)
ALBANY, N. Y., Nov. 23.—Gov. Smith to-day decided not to permit boxing in armories. He upheld a report of Major Gen. O'Ryan and the Armory Commission, in which it was stated that boxing in armories by contestants who are not soldiers would be a bad thing for the guard. He made his decision after a conference with Adj. Gen. Berry, who presented the report to him.

The Governor, when informed that the Republicans would probably repeal the Walker Boxing Law next year, declared that he thought such an act would be unwise. He said he had given that law a good deal of thought before approving it and was convinced it was a good law. He declared that its repeal would only result in the State being deprived of the tax on boxing and having no regulation over the sport.

"Boxing will go on just the same," he said, "but instead of honestly paying an admission fee the patrons will hypocritically put down their money as members of a club."

The Evening World was the first to call attention to the plan to hold bouts in the armories and the Governor's decision backs up the stand this paper took in the matter.

SAFE BLOWERS LOOT 3 BOWERY FIRMS OF \$12,000

Work Near Grand Street "L"
Station and in a Flood
of Light.

The attention of Acting Police Commissioner Leach is called to a workmanlike and remunerative piece of safe blowing which was accomplished last night on the second floor of the building at No. 137 Bowery, the windows of which are only a few feet from the north end of the Grand Street station of the Third Avenue "L". The safe-blowers got away with \$12,000 worth of gold, platinum, diamonds and manufactured jewelry.

Manufacturing jewelers occupy the entire building at No. 137 Bowery, which is two doors north of the site of a once famous institution for the alleviation of thirst conducted by Mr. Patrick Farley. The vicinity is one of the busy spots along the well-known thoroughfare.

On the second floor of No. 137 are the jewelry manufacturing plants of Gerbitz & Sigalow, who make bracelets; Turkus & Berman, who make rings; and Harry Lieberman, who makes bangles. All three firms kept their raw, material and finished product in a safe in the office of Gerbitz & Sigalow, fronting on the Bowery and flooded at night with light from the Bowery street lamps and the globe on the L station.

Some time during the night safe blowers entered the second floor by way of a rear window. They went to the front office and hooked up an electric fixture a drill which is used by one of the firms in the manufacture of jewelry. It is a fine steel drill and with it the adept burglars hauled a number of symmetrical holes in the door of the safe.

Into these holes they poured nitro glycerine. Then they put up the outside of the door and the cracks between the edges of the door and the safe proper with soap and set off the explosive.

CITY MARSHAL FOUND GUILTY OF OPPRESSION FOR 2 A. M. FLAT RAID; MAY GO TO JAIL

Removed Woman's Furniture
to Street in Middle of
the Night.

OBEYED LAW, HE SAYS.

Miss Cole Claims He Let Her
Sleep There Only After
She Paid Him \$10.

Michael J. Gaynor, a City Marshal of Brooklyn, living at No. 590 Bedford Avenue, was to-day convicted of oppression in Special Sessions before Justices Kernochan, Edwards and Murphy. Gaynor's crime consisted of backing up a wagon in front of the home of Miss Sadie Cole, an auditor in Healy's restaurant, at No. 333 Central Park West, and starting to move furniture out of her apartment at 2 o'clock on the morning of June 10.

Miss Cole has bought the furniture with the lease of the apartment from a Miss Minugh. Then the furniture company from which the stuff was bought secured a judgment of \$440 against Miss Minugh, and it was to enforce the judgment that Marshal Gaynor proceeded to move the furniture. Attorney Bernard Sandler of No. 251 Broadway hastened to the scene in answer to a telephone call from Miss Cole and when Gaynor refused to desist, the lawyer had him arrested and he was held for Special Sessions by Magistrate Simpson. Miss Cole testified that she had to pay Gaynor \$10 to sleep in her home that morning.

Gaynor's defense was that he was acting under the law, but when the court heard Miss Cole's story, corroborated by her attorney, the Marshal was pronounced guilty and Nov. 29 was set for sentence. Meanwhile he was given his liberty on \$1,000 bail.

This is the first time in the history of the city that a Marshal has been convicted of oppression. The penalty is from six months to three years in the penitentiary, or a fine of \$1,000.

City Marshal Gaynor is said to be a friend of Mayor Hylan, but Attorney Sandler said to-day that he would ask the Mayor to remove him from office and that Miss Cole would immediately begin suit for damages.

SUGAR DROPS AGAIN; 83-4 IS NEW PRICE

This Quotation to Wholesalers
Announced by Federal Sugar
Refining Company.

The wholesale price of refined sugar has been reduced to 83-4 cents per pound. This announcement was made to-day by the Federal Sugar Refining Company. The previous low price was 84 cents per pound.

It also was announced that the big Western beet sugar companies are withdrawing from the market. The Amalgamated Sugar Company has withdrawn from the market entirely, and the Great Western Sugar Company has withdrawn from the market in territory east of the Mississippi River.

SCORNS \$1,000,000 HE HASN'T EARNED; PREFERS TO WORK

Young Garland Refuses Share
of Father's Estate and Will
Stick to Job

BOSTON, Nov. 23.—PREFERRING manual labor to a life of luxury, Charles Garland, twenty-one last June, has declined to accept his \$1,000,000 share of the estate of James A. Garland, his father, and a Boston millionaire.

Young Garland is to become an automobile mechanic. He has a wife and infant daughter. His older brother accepted his share, but the youngest, now in Harvard, probably will follow Charles in refusing.

"I believe in refusing I am placing my life on a Christian basis," said Charles. "Private property is the main cause of our unrest and unhappiness. I did nothing for the million dollars and was not given an opportunity to decide whether I needed it. It is more than any man needs."

FAMOUS THEATRE OF '70'S IS CLOSED AS FIRE MENACE

Yiddish Plays Were Last Per-
formances in Old Bowery
Burlesque House.

Gabel's Theatre, at No. 235 Bowery, where a stock company has been playing in Yiddish, was closed as a fire menace last night, following an inspection by Battalion Chief Joseph O'Hanlon of the Fire Department Division of Public Assembly.

A fireman is stationed at the theatre to make daily inspections, but no action was taken toward closing it until a citizen wrote a letter of complaint to Mayor Hylan. The Mayor ordered the inspection by Chief O'Hanlon, who in his report charged the following violations:

Automatic fireproof fire doors would not operate in some cases.

Two doors from under the stage to the musicians' pit improperly constructed so that in case of a fire under the stage smoke would pour through the auditorium, probably causing a panic.

An old-type wooden stairway from the cellar to the lobby, not properly inclosed.

Rubbish, including burlap bags, broom handles, pieces of coal and other junk, found under the stairs.

Piles of paper, coal and wood in the cellar.

Trunks stored in a room that had a doorway, but no door.

Rear stairs broken.

Engine room door not closed.

The theatre was closed under Section 77-A of the Charter which charges the firemen with a public nuisance and empowers the authorities to abate them.

HOUSE-TO-HOUSE SEARCH IN DUBLIN; CITY QUIET AGAIN

Band of 200 Men Sought as
Slayers of 14 Officers—
Death List Put at 35.

RAIL EMBARGO LIFTED.

Shops and Theatres Re-open—
Curfew Strictly Enforced—
Barbed Wire in Streets.

DUBLIN, Nov. 23. (Associated Press)—All train services in and out of Dublin were resumed this morning, after the city had passed a quiet night following Sunday's bloodshed and the raiding activities of yesterday. The Curfew law was strictly obeyed.

The night, however, did not witness any let-up in the work of the military, who were continuing their minute search of the city, presumably for suspects in connection with Sunday's assassinations. Before the Curfew hour several of the streets were surrounded by barred wire barriers and the soldiers examined all persons passing.

Street cars were running to-day, nearly all shops were open and theatres and amusement houses were doing business.

Forces engaged in searching residences and business places were accompanied by armored cars, which carried machine guns. Men charged with attacking a military patrol were court-martialed at Marlborough barracks to-day, and warm tributes were paid by attorneys on each side to the integrity and fair play displayed by Capt. Bagally, one of the officers slain on Sunday morning.

The thirteenth death as a result of the Croke Park shooting occurred to-day when an eleven-year-old boy died of his wounds. Only seven of the Croke Park victims have as yet been identified. The bound body of an auxiliary policeman was taken from the River Liffey to-day.

The death roll in Dublin yesterday totaled five persons. During the morning one of the sentries at the castle was attacked by armed men. The sentry fired, killing three of the attacking party. Two other deaths occurred during the raids which were carried out in the city through the day.

Shots were freely exchanged last evening between auxiliary police and civilians in the village of Millstreet, in the Killarney District. It is reported one policeman was wounded and two civilians shot.

DUBLIN, Nov. 23.—With the city surrounded by a complete military cordon armed with machine guns, the police and soldiers are making a house-to-house search for alleged participants in the raids in which fourteen officers and ex-officers were killed. Those being sought are members of a band of 200 men, the authorities say, who led in the killings. Many arrests have been made.

From Dublin Castle comes the an-

(Continued on Second Page.)

SILK STOCKINGS ARE DOWN.

Price Dropped 12 Per Cent. in
October—Food Also Cheaper.

BOSTON, Nov. 23.—A drop of 12 per cent. in the price of women's silk stockings helped lower the cost of living in October, according to figures announced by the State Commission on Necessary of Life to-day. Living costs last month declined 21-2 per cent from the levels of September. The Commission announced.

Of the five items listed in its survey, clothing declined 8 per cent, largely because of reductions in women's apparel, with the 12 per cent cut in the price of silk stockings as the principal let-down. Food was cheaper by 4 per cent; fuel increased a fraction; rentals remained stationary, and " sundries" showed an increase of 1 per cent.

WHALEN GAVE AWAY INTEREST IN ASH REMOVAL COMPANY THAT DUMPED IN CITY LAND

Commissioner Threatens to Sue
Untermeyer for Libel in Fiery Clash
at Building Inquiry—Witness Tells
of Percentage Paid for Making Es-
timates—Further Graft Revealed.

The afternoon session of the Lockwood Committee, was devoted to-day to bringing out the effect on the cost of building of the workings of the Estimating Bureau, a Hettrick-like contrivance of the Greater New York Fireproofing Builders' Association.

Under its workings, so President Roswell Austin of the association testified, the twelve members boud themselves to let the bureau do their estimating on all proposals. Then the firm added 10 per cent. to the estimate as an overhead charge before bidding. If successful the contractor paid 2 1-2 per cent. of the contract into the bureau, which divided the money among the unsuccessful bidders, proportionately, at the end of the year.

LA GUARDIA WOULD WIPE OUT SOME OF CITY DEPARTMENTS

Could Be Done With Benefit
to Public, He Says at School
Conference.

At a conference to-day of the Estimate Board, Board of Education and Deputy State Commissioner of Education Frank Gilbert, held for purpose of raising money to carry on the work of public schools during 1921, Aldermanic President La Guardia said:

"The Board of Aldermen now has the 1921 budget under consideration. It is the duty of that body, which has the power to reduce the budget, to go into every city department and cut without mercy until enough has been saved to make up the deficiency which now faces the Department of Education."

"If the Board of Aldermen does not act and act with decision, public opinion should be roused to whip it into line. Any one who knows anything about New York City's affairs will tell you that it would be possible to wipe out entire city departments to the everlasting benefit of the taxpayers and the government itself."

President Anning S. Pratt of the Board of Education called attention to the fact that although the full sum of \$77,946,023 appears to have been appropriated in the 1921 budget, there is a mysterious note alongside the figures to the effect that \$50,720,880.83 has been appropriated "on account." In the memory of budget-makers, this is the first time such a method of city financing has been resorted to.

"What I want to know," said Mr. Pratt, "is whether the Department of Education is justified in assuming from what appears in the budget that it can go ahead on Jan. 1, 1921, on the \$77,946,023 basis?"

Assistant Corporation Counsel Mavor made a technical reply, from which it was interpreted that the schools can't be conducted on the seventy-seven million figure until the money has been appropriated.

"You may have been advised that the process was legal," said Mr. Untermeyer to the witness. "The committee believes it was far from legal." The morning session was marked by an angry encounter between Mr. Untermeyer and Grover Whalen, the youthful Commissioner of Plant and Structures, who, at the end of his testimony, indignantly rose and denounced Mr. Untermeyer and said he would sue for libel if Mr. Untermeyer ever put in actionable form the insinuations he had made in asking questions.

Mr. Whalen insisted that questions asked him by Mr. Untermeyer were insinuations that Mr. Whalen profited by the permission given to Holland and Company, ash-removal contractors, to dump ashes in 1918 into the new Court House excavation. Mr. Untermeyer intimated the privilege was worth \$200,000 to the firm.

Mr. Whalen said he had given his half interest in Holland and Company to his partner Mr. Holland in August, 1917, before going into politics. He admitted there was no record of the transaction—not even a cancellation of the co-partnership agreement and that he received no compensation for his share in the working plant of the company, including five automobile trucks and a building (closely mortgaged, he said) in West Broadway and outstanding contracts. He repeatedly denied with flashing eyes and angry tones that he had any interest or influence in the use of the Court House site by the Holland Company as a dumping ground.

A protest against the line of the examination of Mr. Whalen was made by Acting Chairman Thomas A. McWhinney, who said the subject did not have to do with housing. Mr. Untermeyer said the cost of public buildings did affect the cost of dwelling construction.

"However," he said, "we are through with Mr. Whalen unless he himself has something to say." Mr. Whalen leaned over the desk at which he had been testifying and said:

"I will say this, Mr. Untermeyer, that if you make any further insinuations against me I shall sue you! Sue you for libel!"

"I shall be very glad to be sued on this issue," said Mr. Untermeyer. GLAD TO TAKE SOME MONEY AWAY FROM HIM.

"You'll get it," retorted Mr. Whalen. "I'll be very glad to take some of your money away from you."

"I don't make my money out of the city," said Mr. Untermeyer.

"I'd hate to have made any money

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